

MAR 30 1998 THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No. 08/446,431
Docket No. 5634.0150

Re Application of

John C. Harvey and James W. Cuddihy

Serial No. 08/446,431

Filed: May 22, 1995

For: SIGNAL PROCESSING APPARATUS
AND METHODS

Examiner: Vu, H.

Group Art Unit: 2733

Atty Dkt. 5634.0150

Ref for
Rec'd May
6-4-98

Submission Under 37 C.F.R. § 1.129(a)

BOX: AFTER FINAL

Assistant Commissioner of Patents
and Trademarks
Washington, D.C. 20231

Sir:

Applicants request that the finality of the final rejection dated December 23, 1997
be withdrawn in view of this timely filed first submission under 37 C.F.R. § 1.129(a).

Our Check No. 156428 is enclosed for payment of the fee set forth in 37 C.F.R. § 1.17(r).

The present application has an effective pendency of at least two years as of June 8,
1995, taking into account any reference of record to any earlier filed application under
35 U.S.C. § 120, 121 and 365(c). This petition and the fee set forth in § 1.17(r) are being
filed prior to the filing of an appeal brief and prior to abandonment of the application.

Applicants therefore respectfully request that the amendment and request for
reconsideration filed on February 23, 1998 be entered.

Applicants respectfully request a one (1) month extension of time in which to
respond to the Final Office Action mailed December 23, 1997, for which a response
period expiring on March 23, 1998 was set. The extended period expires on April 23,
1998. However, if additional extensions of time are necessary to prevent abandonment

of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefore are hereby authorized to be charged to our Deposit Account No. 08-3038.

Respectfully submitted,



Thomas J. Scott, Jr.

Reg. No. 27,836

Attorney for Applicants

Date: March 30, 1998
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